

## Asbestos Interview Talkers

### Topline Messages

- EPA is **strengthening regulations** on asbestos to protect public health.
- First action under TSCA in 30 years to **protect consumers** from asbestos products.
- Today's action **closes the door** on certain asbestos products from coming back to the market.
- Gives EPA **authority** to prohibit the use of more asbestos products or restrict them.
- This action **does NOT affect any previous bans**—it expands on it.

### Introduction

- Hello, I am Alexandra Dapolito Dunn, the Assistant Administrator for EPA's Office of Chemical Safety and Pollution Prevention.
- This afternoon, EPA will announce a final rule that strengthens EPA's regulations by ensuring that discontinued asbestos products cannot be reintroduced into commerce without the Agency evaluating them and putting in place any necessary restrictions or prohibiting use.

### Three reasons why I wanted to talk to you today about this action.

#1: This action is an important step in the agency's efforts to protect the public from the health risks associated with asbestos.

## Ex. 5 Deliberative Process (DP)

#2: When we issued the proposed rule last summer, there was quite a bit of confusion and misinformation, including that we were bringing back previously-banned uses of asbestos—nothing could be farther from the truth!

#3: This is an opportunity for me to put today's action in context of the larger picture of what EPA is doing on asbestos.

### Today's Action

- Today rule strengthens EPA's regulations to protect all Americans from asbestos and expands on the 1989 partial asbestos ban which I'll talk more about next.
- The products described in today's rule are not on the market right now, but without this rule, manufacturers and importers could bring them back at any time.
- We are taking action to stop that from happening.
- Today's action closes that door and makes sure these products can NOT come back on the market without EPA review and the opportunity to restrict or prohibit use. Without EPA action, they could come back.
- These products include asbestos vinyl floor tiles, insulation, and other building materials, as well as some clothing and manufacturing products containing asbestos.
- This is a prudent thing to do. We can do this now, and we are doing it under a provision under TSCA called a Significant New Use Rule (SNUR)—a confusing name which led to some of the confusion last summer.

## The 1989 Partial Asbestos Use Ban

- This isn't the only action that EPA has taken to prohibit asbestos products from being sold in the United States.
- In 1989, EPA banned five asbestos products (asbestos-containing flooring-felt, rollboard, and commercial, corrugated and specialty papers).
- Second, it banned new uses of asbestos which prevented any new asbestos products from entering the marketplace after August 25, 1989.
- IMPORTANT TO NOTE: Nothing that EPA is doing today brings these banned products back on the market.

## EPA's Risk Evaluation of Asbestos

- Another key step EPA is taking to address asbestos is to evaluate the risks associated with the remaining handful of ongoing asbestos uses or products.
- Some people say that EPA should ban all remaining asbestos products now. Under the law, EPA can't do that in one simple step. The agency must go through the process of a risk evaluation before it can restrict or ban these products if unreasonable risk is found. And that's exactly what we're doing.
- Under the Frank Lautenberg Chemical Safety for the 21st Century Act, which amended TSCA, EPA has included asbestos as one of the first 10 chemicals to undergo this risk evaluation.
- The risk evaluation is underway and if it concludes with a finding of unreasonable risk then EPA will take action. This process will be open and transparent, will be available for public comment, and will follow the timetable established by Congress.
- A full list of the limited, ongoing uses included in the risk evaluation is available on our website.

## Legacy

- For the risk assessment, EPA is focusing on the manufacture (including import), processing or distribution of asbestos or asbestos-containing materials that is known to be occurring now or that is intended or reasonably foreseen to occur.
- EPA has received comments asking about what we are doing about older materials, like insulation and tiles, that remain in buildings years after manufacturers stopped using asbestos to make those materials.
- We are not ignoring those materials.
- First of all, intact asbestos building materials that are not releasing fibers are not likely to pose a risk.
- Second, when asbestos has been disturbed or is to be disturbed, there are laws and programs in place.
  - For instance, under the Asbestos Hazard Emergency Response Act (AHERA), EPA requires public school districts and non-profit schools to inspect their schools for asbestos-containing materials and prepare plans to take action to prevent and reduce hazards, focusing on in-place management of asbestos-containing material.

- In addition, under the National Emission Standards for Hazardous Air Pollutants (NESHAP) owners and landlords/managers of buildings that contain asbestos have certain requirements for renovating and demolishing buildings that contain asbestos.
- EPA is not regulating these old materials in single family homes, but we have provided the public with extensive advice and information on our [ HYPERLINK "<https://www.epa.gov/asbestos/protect-your-family>" ] about what to do if you find asbestos in the home.

## Conclusion

- In conclusion, EPA is covering ALL bases to be able to protect people's health from asbestos exposure. EPA has made addressing asbestos a priority.
- I can take any questions you may have.